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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Shasta)

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In re C.C., JR., a Person Coming  
Under the Juvenile Court Law.

SHASTA COUNTY DEPARTMENT OF SOCIAL  
SERVICES,

Plaintiff and Respondent,

v.

C.C.,

Defendant and Appellant.

C051855

(Super. Ct. No. JV SQ 24941-01)

C.C., father of the minor, appeals in propria persona from orders reinstating the prior order terminating parental rights (Welf. & Inst. Code, §§ 366.26, 395) after remand following a stipulated reversal to resolve issues of notice under the Indian Child Welfare Act (ICWA) (25 U.S.C. § 1901 et seq.). We affirm.<sup>1</sup>

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<sup>1</sup> Respondent has requested judicial notice of the record in the prior appeal (case No. C048740). The request is denied as unnecessary.

## **FACTS**

The minor was removed from parental custody in December 2003. The mother claimed Indian heritage at detention. Notice was sent to the Cherokee tribes and the Bureau of Indian Affairs (BIA) in January 2004 based upon a claim by the father of the minor's half-sibling. The BIA asked for additional information on the paternal lines of both minors, but none was available. The parents failed to reunify and the court set a selection and implementation hearing. The court terminated parental rights in December 2004.

Appellant filed a notice of appeal from the order. In May 2005, this court accepted a stipulation to reverse the order terminating parental rights to permit compliance with the notice provisions of ICWA.

Following remand, the Department of Social Services (DSS) sent notices of the proceedings to the Choctaw tribes and the BIA that included extensive information on the mother's heritage. A copy of the petition and the minor's birth certificate were attached to the notices. DSS filed return receipts from the tribes and the BIA. By October 2005, all three Choctaw tribes had responded to DSS stating that the minor was not enrolled or eligible to be enrolled in any of the tribes. At a hearing in January 2006, the juvenile court found that DSS had complied with the notice requirements of ICWA and reinstated the orders terminating parental rights. Appellant again filed a notice of appeal.

### DISCUSSION

In a single-page brief, appellant recognizes he has no legal issues, but simply asks for another chance to reunify with the minor.

The function of an appellate court is to review errors of law and not to pass on questions of fact or reweigh evidence. (9 Witkin, Cal. Procedure (4th ed. 1997) Appeal, § 316, p. 354; *In re Stephanie M.* (1994) 7 Cal.4th 295, 318-319.) Accordingly, we cannot provide appellant the relief he seeks.

In any case, the prior remand was limited to the issue of compliance with ICWA. Appellant did not challenge the juvenile court's findings in this regard and does not raise the issue on appeal. Accordingly the issue is forfeited. (*In re X.V.* (2005) 132 Cal.App.4th 794, 804.) Even were we not to apply the forfeiture doctrine, the record amply supports the juvenile court's findings and reinstatement of the termination orders. (*In re Angelia P.* (1981) 28 Cal.3d 908, 924; *In re Jason L.* (1990) 222 Cal.App.3d 1206, 1214.)

### DISPOSITION

The orders of the juvenile court are affirmed.

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DAVIS, J.

We concur:

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SIMS, Acting P.J.

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HULL, J.